



Gerard D. O'Shea  
T: +1 212 479 6704  
goshea@cooley.com

February 11, 2025

**VIA ECF**

The Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *SOCi, Inc. v. Yext, Inc. et al.*, Case No. 1:24-cv-04530-RA-OW**

Dear Judge Abrams:

We represent Defendants in the above-referenced matter. We write pursuant to Rules 1(A) and 5(A) of the Court's Individual Rules and Practices in Civil Cases regarding the letter SOCi, Inc. ("SOCi") submitted to the Court on Friday, February 7, 2025, ECF No. 15 ("SOCi's Letter"). SOCi's Letter includes reference to statements Defendants' counsel made during confidential settlement negotiations, in violation of longstanding 2nd Circuit policy concerning the appropriate use and disclosure of settlement communications.

It is well established that filings containing settlement communications should be filed under seal. *See e.g., Liu v Nielsen Co. (US) LLC*, 22 CIV. 9084 (JHR), 2023 WL 3750116, at \*2 (S.D.N.Y. Jun. 1, 2023) (finding that "any presumption of access to 'preliminary settlement documents ... not submitted to a court for ratification' is at its 'weakest'" and sealing documents); *Paravas v Cerf*, 21-CV-7463 (RA) (BCM), 2022 WL 203168, at \*2 (SDNY Jan. 24, 2022) (sealing filings and cautioning plaintiff not to "publicly reveal the substance of the parties' ongoing settlement negotiations"); *In re Gen. Motors LLC Ignition Switch Litig.*, No. 14-MC-2543 (JMF), 2016 WL 1317975, at \*2 (S.D.N.Y. Mar. 2, 2016) (stating that "[t]he Second Circuit has repeatedly affirmed the importance of settlement confidentiality in light of the public interest in promoting settlement" and then sealing settlement documents); *United States v. Glens Falls Newspapers, Inc.*, 160 F.3d 853, 857 (2d Cir. 1998) (finding that the presumptive right of access to settlement discussions "is negligible to nonexistent"). Defendants' letter motion filed herewith ("Defendants' Response") responds substantively to SOCi's Letter and addresses SOCi's misguided attempt to improperly collect *pre-discovery* relying solely on settlement communications.

Pursuant to Fed. R. Civ. Pro. 5.2(d), Rules 1 and 5(A) of the Court's Individual Rules and Practices in Civil Cases, and Local Civil Rule 5.2, Defendants respectfully request that SOCi's Letter and Defendants' Response be sealed in their entirety on the public docket. Counsel for Defendants had a meet-and-confer with SOCi's counsel on February 10, 2025, regarding this request, but no agreement was reached.



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We appreciate the Court's consideration of this request.

Respectfully submitted,

*s/ Gerard O'Shea*  
\_\_\_\_\_  
Gerard D. O'Shea

CC: Hon. Ona T. Wang, United States Magistrate Judge

Consistent with the Court's July 18, 2024 order referring the case for general pretrial management, the parties shall address matters related to discovery and sealing to Magistrate Judge Wang.

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'RA', is written over a horizontal line.

Hon. Ronnie Abrams  
February 12, 2025